

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM PASSARELLA JR. :
LG-6537, :
: Plaintiff, : CIVIL ACTION NO. 21-718
: :
v. :
: MICHAEL STACKOW (District Attorney); :
WENDY GOLDSTEIN (PD); PETER :
F. MARCELLINO (15th District); and :
ANTHONY J. DEFINO (Judge), :
: Defendants. :

ORDER

AND NOW, this 19th day of April, 2021, after considering the application for leave to proceed *in forma pauperis* (Doc. No. 4), prisoner trust fund account statement (Doc. No. 5), and complaint (Doc. No. 1) filed by the *pro se* plaintiff, William Passarella, Jr.; and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The application for leave to proceed *in forma pauperis* (Doc. No. 4) is **GRANTED** and the plaintiff has leave to proceed *in forma pauperis*;
2. William J. Passarella, Jr., #LG-6537, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of the case. The court directs the Superintendent of SCI – Mahanoy or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Passarella’s inmate account; or (b) the average monthly balance in Passarella’s inmate account for the six-month period immediately preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this order to the court with a reference to the docket number for this case. In each succeeding month when the amount in Passarella’s

inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to Passarella's inmate account until the fees are paid. Each payment shall refer to the docket number for this case;

3. The Clerk of Court is **DIRECTED** to **SEND** a copy of this order to the Superintendent of SCI – Mahanoy;
4. The complaint (Doc. No. 1) is **DEEMED** filed;
5. The complaint (Doc. No. 1) is **DISMISSED WITH PREJUDICE**; and
6. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ *Edward G. Smith*
EDWARD G. SMITH, J.